

ENTERED

May 15, 2025

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISIONEUSTORGIO GUZMAN RESENDEZ,
TDCJ #00611165

Plaintiff,

VS.

HERIBERTO SILVA,

Defendant.

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CIVIL ACTION NO. 7:24-CV-044

**ORDER ADOPTING MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION AND ORDERING DISMISSAL**

The Court has reviewed the magistrate judge's Report and Recommendation regarding Plaintiff's civil rights action pursuant to 42 U.S.C. § 1983, and Plaintiff's objections thereto. After having reviewed the said Report and Recommendation, and after appropriate review of Plaintiff's objections thereto, the Court is of the opinion that the conclusions in said Report and Recommendation should be adopted by this Court.

It is, therefore, **ORDERED, ADJUDGED** and **DECREED** that the conclusions in United States Magistrate Judge Nadia S. Medrano's Report and Recommendation entered as Docket Entry No. 15 are hereby adopted by this Court.

FURTHER, the Court, having adopted the magistrate judge's conclusions, is of the opinion that the civil action filed by Plaintiff Eustorgio Guzman Resendez be **DISMISSED** pursuant to 28 U.S.C. §§ 1915A(b) and 1915(e)(2)(B) as frivolous and for failure to state a claim on which relief may be granted.

The Clerk shall send a copy of this Order to the Plaintiff.

SO ORDERED May 15, 2025, at McAllen, Texas.

A handwritten signature in black ink, reading "Randy Crane", written over a horizontal line.

Randy Crane

Chief United States District Judge